

**COMPLAINT INVESTIGATION SUMMARY**

**COMPLAINT NUMBER:** 1576.00  
**COMPLAINT INVESTIGATOR:** Jane Taylor-Holmes  
**DATE OF COMPLAINT:** May 18, 2000  
**DATE OF REPORT:** June 16, 2000  
**REQUEST FOR RECONSIDERATION:** no  
**DATE OF CLOSURE:** September 18, 2000

**COMPLAINT ISSUES:**

Whether the Lawrenceburg Community School Corporation and the Ripley-Ohio-Dearborn Special Education Cooperative violated:

511 IAC IAC 7-12-1 with regard to the school's failure to implement the student's individualized education program as written, specifically, failing to provide speech therapy on 14 days between November 5, 1998 and May 24, 1999.

**FINDINGS OF FACT:**

1. The student (the "Student") was 13 years old during the 1998-99 school year. During that school year, the Student was eligible for special education and related services as a student with a moderate mental handicap and a communication disorder.
2. The March 5, 1998 *IEP* states that the Student was to receive speech/language services ("Speech") 25 minutes per day, three days per week.
3. The Complainant reported that the SLP worked part-time, and consequently often provided two Speech sessions in one day so that the Student received the three 25 minute sessions per week as stated in the *IEP*. The Complainant contends that the Student missed the following sessions:
  - November 5, 1998, December 17, 1998, and February 25, 1999, because the SLP was absent;
  - March 4, 1999, March 8, 1999-two sessions, and March 29, 1999-two sessions because the SLP was in case conference committee meetings; and
  - May 3, 1999-two sessions, May 10, 1999-two sessions, and May 24, 1999-two sessions because the SLP was conducting hearing tests.
4. The local director of special education (the "Director") reported that the speech/language pathologist (the "SLP") responsible for implementing the Student's *IEP* during the 1998-99 school year worked three days a week. The Director also reported that the SLP did not present her schedule in advance, and therefore, no one knew when she was going to provide Speech. The Director further reported that no data were maintained by the SLP with respect to when Speech was provided to students.
5. The Director acknowledges responsibility for the Student not receiving Speech as described in the March 5, 1998 *IEP*.

**CONCLUSIONS:**

Findings of Fact #2, #3, #4, and #5 indicate that Speech was not provided to the Student during the 1998-99 school year as stated in the Student's *IEP*, and that the Director has acknowledged such. A violation of 511 IAC 7-12-1 occurred.

**The Department of Education, Division of Special Education requires corrective action based on the Findings of Fact and Conclusions listed above.**

**CORRECTIVE ACTION:**

The Lawrenceburg Community School Corporation and the Ripley-Ohio-Dearborn Special Education Cooperative shall:

reconvene the Student's case conference committee no later than August 31, 2000, to discuss the need for compensatory Speech. A copy of the case conference committee report shall be submitted to the Division no later than September 8, 2000.

DATE REPORT COMPLETED: June 16, 2000